

EXHIBIT A



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September 13, 2023

Gene W. Lee, Esq.
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via email only

RE: *True Return Systems LLC v. MakerDAO, No. 22-cv-8478 (VSB)*
Our File: TRUE.220216.MAK

Dear Gene:

We expect that you are already aware of IPR 2023-01388, which was filed with the USPTO last week. This IPR petition was filed by the “DeFi Education Fund” and is the latest in a series of anonymous or semi-anonymous submissions to the Court and now, the USPTO. The identity of the real parties in interest here has thus taken on even greater significance.

While the identity of the identity of the persons or entities underlying MakerDAO has always been relevant to liability and recovery of a judgment, the IPR petition adds another layer since, for example, the availability of IPR estoppel under 35 U.S.C. § 315(e) depends on the identity of the “petitioner.”

This IPR petition follows recent news reporting sales of large amounts (or entire positions) of MKR tokens by major holders including a16z, Paradigm, and Vitalik Buterin, further suggesting that a prompt disclosure of Defendant’s membership is warranted.¹

Accordingly, pursuant to SDNY Local Civil Rule 26.1, we hereby demand that Defendant furnish within seven (7) days a verified statement setting forth:

(a) If the responding party is a natural person, that party’s residence and domicile, and any state or other jurisdiction of which that party is a citizen for purposes of 28 U.S.C. § 1332;

¹ See “VC Giants Selling MakerDAO Balances a Big Plus for MKR Bulls”, beincrypto.com, Martin Young, August 2, 2023, (<https://beincrypto.com/vc-giants-selling-makerdao-balances-mkr-bulls/>) and “Vitalik sells MakerDAO stake after co-founder Christensen suggests Solana-based blockchain”, theblock.com, Zack Abrams, Sep. 2, 2023, (<https://www.theblock.co/post/248856/vitalik-sells-makerdao-stake-after-ceo-christensen-suggests-solana-based-blockchain>).

(b) If the responding party is a partnership, limited liability partnership, limited liability company, or other unincorporated association, like information for all of its partners or members, as well as the state or other jurisdiction of its formation;

(c) If the responding party is a corporation, its state or other jurisdiction of incorporation, principal place of business, and any state or other jurisdiction of which that party is a citizen for purposes of 28 U.S.C. § 1332; and

(d) In the case of an assigned claim, corresponding information for each original owner of the claim and for any assignee.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Boag', with a long horizontal flourish extending to the right.

David A. Boag